

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

SMARTMATIC USA CORP.,
SMARTMATIC INTERNATIONAL
HOLDING B.V., and SGO
CORPORATION LIMITED,

Plaintiffs,

v.

MICHAEL J. LINDELL and MY
PILLOW, INC.,

Defendants.

Case No. 22-cv-0098-JMB-JFD

[PROPOSED] ORDER

Having considered Smartmatic's Motion for Partial Summary Judgment and supporting papers, all responsive and reply papers, and arguments from counsel, IT IS HEREBY ORDERED this ____ day of _____, 2025 that:

Summary judgment is GRANTED to Smartmatic on the following elements of its defamation claim against Defendants Michael J. Lindell and MyPillow, Inc.:

- (a) Defendants published the Defamatory Publications;
- (b) Defendants' Defamatory Publications were "of and concerning" Smartmatic;
- (c) Defendants' Defamatory Publications were false;
- (d) Defendants' Defamatory Publications constitute defamation *per se*; and
- (e) MyPillow, Inc. is vicariously liable for the tortious conduct of Lindell.

Summary judgment is GRANTED to Smartmatic on Defendants' liability for violation of the Minnesota Deceptive Trade Practices Act, MSA § 325D.44(8).

The Honorable Jeffery M. Bryan